

Docket No. ORT-1510

IN THE ONLTED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark E. McDonnell, Larry E. Weaner and Sui Po

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Serial No.: 09/973,378

Art Unit:

Filed

: October 9, 2001

Examiner:

For

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

February 11, 2002
(Date of Deposit)

John W. Harbour

(Name of applicant, assignee, or Registered Representative)

February 11, 2002
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Commissioner for Patents Washington, D.C. 20231

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Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with \square the first or Second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in \$1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is

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Statement in Accordance with §1.97(e)	
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Copies of each of the references listed on the	
attached Form PTO-1449 are enclosed herewith.	
Copies of references listed on the attached Form PTO-	
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In view of the voluminous nature of references	
[list as appropriate], and the likelihood that	
these references are available to the Examiner,	
copies are not enclosed herewith.	
<pre>If any of the foregoing publications are not</pre>	
available to the Examiner, Applicant will	
endeavor to supply copies at the Examiner's	
request.	
☐ There are no listed references which are not in the	
English language.	

at 5

The relevance of those listed references which are not in the English language is as follows: Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT-1510/JWH. This form is submitted in triplicate. Respectfully submitted, John W. Harbour Req. No. 31365 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2169 DATED: February 11, 2002



PTO/SB/08A (08-00)
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(use as many sheets as necessary)
Sheet 1 of 2

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Application Number	09/973,378
Filing Date	October 9, 2001
First Named Inventor	McDonnell et al
Group Art Unit	
Examiner Name	
Attorney Docket Number	ORT-1510

	U.S. PATENT DOCUMENTS					
		U.S. Patent Do	ocument	Name of Patentee or Applicant of Cited Document	Date of Bublication	Pages Columns Lines
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FOREIGN PATENT DOCUMENTS

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	, ,,,,,	wo	98/20867	A1	The Uniited States of America represented by The Secretary, Department of Health and Human Services	05-22-1998		
		wo	9/09140	A1	The Regents of the University of California	02-25-1999		
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. ¹⁶ if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Application Number	09/973,378
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First Named Inventor	McDonnell et al
Group Art Unit	
Examiner Name	
Attorney Docket Number	ORT-1510

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
		Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item	
Examiner's	Cite	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),	T ²
Initials*	No. ¹	publisher, city and/or country where published	
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